## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:18-cv-00341-FDW

WILLIAM KIMBLE, Jr.,	)
Plaintiff,	)
vs.	ORDER
SAINT T. TAPP, et al.,	)
Defendants.	)
	)

THIS MATTER is before the Court following Plaintiff's failure to comply with the Court's Order dated June 17, 2019, in which the Court allowed Plaintiff twenty days in which to file a response to that Order showing cause why this action should not be dismissed as duplicative of another action filed by the Plaintiff pursuant to 42 U.S.C. § 1983, which the Court ordered survived initial review. [See Doc. 9]. Plaintiff has not responded to the Court's order, and the deadline to do so has passed. Therefore, the Court will dismiss this action for Plaintiff's failure to prosecute and as duplicative of the Plaintiff's other pending case, Civil Case No. 1:18-cv-00284-FDW.

## IT IS, THEREFORE, ORDERED that:

- (1) This action is dismissed without prejudice.
- (2) The Clerk of this Court is directed to terminate this action.

Signed: August 19, 2019

Frank D. Whitney

Chief United States District Judge